

OPINION 774

EUBRANCHUS FORBES, 1838 (GASTROPODA): ADDED TO THE OFFICIAL LIST WITH SUPPRESSION UNDER THE PLENARY POWERS OF SEVERAL NOMINA DUBIA

RULING.—(1) Under the plenary powers:

(a) the following names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy:

(i) the generic name *Ethalion* Risso, 1826;

(ii) the specific name *histris* Otto, 1821, as published in the binomen *Eolidia histris*;

(iii) the specific name *hystrix* Otto, 1823, as published in the binomen *Eolidia hystrix*;

(iv) the specific name *ceratentoma* Otto, 1821, as published in the binomen *Eolidia ceratentoma*;

(b) the specific name *farrani* Alder & Hancock, 1844, as published in the binomen *Eolis farrani*, is hereby granted precedence over the specific name *alberti* Quatrefages, 1844, as published in the binomen *Amphorina alberti*.

(2) The generic name *Eubranthus* Forbes, 1838 (gender : masculine), type-species, by monotypy, *Eubranthus tricolor* Forbes, 1838, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 1713.

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

(a) *tricolor* Forbes, 1838, as published in the binomen *Eubranthus tricolor* (type-species of *Eubranthus* Forbes, 1838) (Name No. 2142);

(b) *farrani* Alder & Hancock, 1844, as published in the binomen *Eolis farrani* (granted precedence under the plenary powers over *alberti*, *Amphorina*, Quatrefages, 1844) (Name No. 2143).

(4) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified:

(a) *Ethalion* Risso, 1826 (as suppressed under the plenary powers in (1) (a) above) (Name No. 1796);

(b) *Aethalion* Herrmannsen, 1846 (an invalid emendation of *Ethalion* Risso, 1826) (Name No. 1797).

(5) The following specific names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified:

(a) *histris* Otto, 1821, as published in the binomen *Eolidia histris* (as suppressed under the plenary powers in (1) (a) above) (Name No. 866);

(b) *hystrix* Otto, 1823, as published in the binomen *Eolidia hystrix* (as suppressed under the plenary powers in (1) (a) above) (Name No. 867);

- (c) *ceratentoma* Otto, 1821, as published in the binomen *Eolidia ceratentoma* (as suppressed under the plenary powers in (1) (a) above) (Name No. 868);
- (d) *hystrix* Alder & Hancock, 1842, as published in the binomen *Eolis* (sic) *hystrix* (a junior primary homonym of *Eolidia hystrix* Otto, 1821) (Name No. 869);
- (e) *cerentatoma* Pruvot-Fol, 1954, as published in the binomen *Eolidia cerentatoma* (an incorrect spelling for *Eolidia ceratentoma* Otto, 1821) (Name No. 870).
- (6) The family-group name EUBRANCHIDAE Odhner, 1934 (type-genus *Eubbranchus* Forbes, 1838) is hereby placed on the Official List of Family-Group Names in Zoology with the Name Number 408.

HISTORY OF THE CASE (Z.N.(S.) 1102)

The present case was submitted to the office of the Commission by Dr. Henning Lemche in April 1956 and was revised by him in 1963. The application was sent to the printer on 17 October 1963 and was published on 25 March 1964 in *Bull. zool. Nomencl.* **21** : 40–44. Public Notice of the possible use of the plenary powers was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to two specialist serials.

The proposals were supported by Dr. Myra Keen and Dr. R. Burns. A counterproposal was made by Mr. David Heppell (*Bull. zool. Nomencl.* **21** : 412–413) and reaffirmed (*Bull. zool. Nomencl.* **22** : 11–12) after further explanation by Dr. Lemche (*Bull. zool. Nomencl.* **22** : 10–11).

DECISION OF THE COMMISSION

On 25 January 1966 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (66)2 in Section 1, either for or against the use of the plenary powers in the present case, and in Section 2, for either Alternative A (Lemche proposals, as set out in *Bull. zool. Nomencl.* **21** : 43–44) or for Alternative B (Heppell proposals—paras. 1 (b) (i), 1 (c) (i) (ii) (iii), 3 (a), 4 (a) (d), 5 (a) in part, 5 (c) (d) and 6 in *Bull. zool. Nomencl.* **21** : 43–44 and paras. 1–3 in *Bull. zool. Nomencl.* **21** : 413). At the close of the prescribed voting period on 25 April 1966 the state of the voting was as follows:

Section 1. Affirmative votes—seventeen (17), received in the following order: China, Holthuis, Mayr, Lemche, Stoll, Vokes, Bonnet, Obruchev, Uchida, Simpson, do Amaral, Boschma, Tortonese, Jaczewski, Binder, Evans, Forest.

Negative votes—three (3): Sabrosky,* Kraus, Mertens.

Section 2. For Alternative A—six (6): Mayr, Lemche, Stoll, Bonnet, Simpson, Tortonese.

For Alternative B—twelve (12): China, Holthuis, Vokes, Obruchev, Uchida, do Amaral, Boschma, Sabrosky,* Jaczewski, Binder, Evans, Forest.

* A negative vote in part only. See comment below.

Voting Papers not returned—three (3): Hubbs, Munroe, Ride.

Drs. Alvarado and Brinck returned late affirmative votes for Alternative A. The following comments were made by Commissioners in returning their votes:

Prof. H. E. Vokes (4.ii.66): "It seems that the better solution would have been to re-define *tricolor* as being interpreted on some figure or specimen with 'rounded anterior foot corners', etc., rather than to initiate all of the confusion Lemche's proposal has brought about."

Mr. C. W. Sabrosky (31.iii.66): "I vote for Alternative B except for 1 (b) (i), (c) (i) (ii) (iii), (4) (a) (d) and 5 which I oppose because they involve *nomina dubia*."

"The terribly confused zoology and the differences of opinion among specialists make it abundantly clear, here as elsewhere, that decision on the basis of usage involves tiresome arguments on what to suppress and leads in the end to preservation of misidentifications and erroneous concepts. Straight-forward application of priority is by far the simplest and clearest solution in the present case. The resulting synonymy would be as follows (type-species noted):

Eubranchus Forbes, 1838: *tricolor* Forbes

= *Amphorina* Quatrefages, 1844: *alberti* Quatrefages (same species as *farrani* Alder & Hancock)

= *Galvina* Alder & Hancock, 1855: *tricolor* Forbes

= *Egalvina* Odhner, 1929: *viridula* Bergh, which Lemche finds is a synonym of *tricolor*. Lemche worries that *arenicola* Alder & Hancock, 1847, might be found to be synonymous with *viridula* and therefore threaten stability, but *arenicola* is junior to *tricolor* and thus no threat at all.

"Heppell's proposals agree with my position, and I therefore support Alternative B. I have no objection to plenary powers for *farrani* over *alberti*; indeed, if both were published in the same month in early 1844, it is probable that an arbitrary decision is necessary to determine which has priority."

ORIGINAL REFERENCES

The following are the original references for names placed on Official Lists and Indexes by the Ruling given in the present Opinion:

Aethalion Herrmannsen, 1846, *Indicis Gen. Malacoz. Primordia* 1 : 22

ceratentoma, *Eolidia*, Otto, 1821, *Consp. Anim. quor. marit. non edit.* 1 : 9

ceratentoma, *Eolidia*, Pruvot-Fol, 1954, *Faune France* 58 : 442

Ethalion Risso, 1826, *Hist. nat. Europe* 4 : 36

EUBRANCHIDAE Odhner, 1934, *Brit. Antarct. (Terra Nova) Exp.*, Nat. Hist. Rep., Zool. 7 : 278

Eubranchus Forbes, 1838, *Malac. Mon.* : 5

farrani, *Eolis*, Alder & Hancock, 1844, *Ann. Mag. nat. Hist.* 13 : 164

histris, *Eolidia*, Otto, 1821, *Consp. Anim. quor. marit. non edit.* 1 : 8

hystrix, *Eolidia*, Otto, 1823, *Nov. Act. Leop.* 11 : 277

hystrix, *Eolis*, Alder & Hancock, 1842, *Ann. Mag. nat. Hist.* 9 : 35

tricolor, *Eubranchus*, Forbes, 1838, *Malac. Mon.* : 5

CERTIFICATE

We certify that the votes cast on Voting Paper (66)2 were cast as set out above, that the proposal contained in that Voting Paper as Alternative B has been duly adopted under the plenary powers, and the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 774.

G. OWEN EVANS
Secretary

W. E. CHINA
Assistant Secretary
London
2 May 1966

International Commission on Zoological Nomenclature

COMMENT ON *MITRA PERLATA* RÖDING, 1798, AS A *NOMEN OBLITUM*
Z.N.(S.) 1726
(see volume 22, page 334)

By R. Tucker Abbott (*Academy of Natural Sciences of Philadelphia, Pa., U.S.A.*)

I do not believe that the Commission needs to declare *Mitra perlata* Röding, 1798, as a *nomen oblitum*. In reality, it is a *nomen nudum*, since there is no description or figure reference. Cernohorsky argues that Röding gave this name to "*Voluta pertusa* Gmelin var.", and that since Röding had given the name *imperialis* to variety gamma, this meant (by "the process of elimination") that Röding's name *perlata* should apply to the only other variety, beta. On the same page, Röding applied another *nomen nudum* (*capucina*) to "Gmel. *Voluta pertusa*. sp. 93, varietas", so that there is doubt as to Röding's intentions.

Röding sometimes applied two names to the same species (or figure reference), and sometimes gave the same name to entirely different species (or figure references). To accept or acknowledge a Röding name "by the process of elimination" when it has no description or figure reference would open the door to hundreds of other names which have been, to date, considered as *nomina nuda*.

It should be pointed out that Knorr's vol. 2, pl. 4, fig. 6, leaves much to be desired, although it may be a smooth elongate form of *chrysostruma* Broderip, 1836, *ustulata* Reeve, 1844, or (according to Dautzenberg, 1935, *Mem. Mus. roy. Hist. nat. Belg.* 2 (17) : 63) *contracta* Swainson, 1821. Should some future worker find a valid name to Knorr's figure, I doubt if it could be more than a *nomen dubium* or *species inquirenda*.